REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 32-39 are pending in this application. Claims 32 and 33 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claim 23 of U.S. patent 6,445,434. Claims 32, 33, and 35-39 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. patent 4,241,339 to Ushiyama. Claim 34 was rejected under 35 U.S.C. §103(a) as unpatentable over Ushiyama.

Addressing first the rejection of claims 32 and 33 under the judicially created doctrine of obviousness-type double patenting, that rejection is obviated by the present response. More particularly, filed with the present response is a Terminal Disclaimer over U.S. patent 6,445,434. The submission of that Terminal Disclaimer is believed to obviate the above-noted double patenting rejection.

Addressing now the rejection of claims 32, 33, and 35-39 under 35 U.S.C. §102(b) as anticipated by Ushiyama, and the rejection of claim 34 under 35 U.S.C. §103(a) as unpatentable over Ushiyama, those rejections are traversed by the present response.

Applicants respectfully submit that the claims positively recite features neither taught nor suggested by Ushiyama.

Specifically, independent claim 32 positively recites "alignment layers...including regions displaying a fixed image, with *orientations of adjacent of said regions being different*" (emphasis added). Such a feature is believed to have not been fully considered in the outstanding rejection and is believed to distinguish from the teachings in Ushiyama.

As noted above, in independent claim 32 orientations of adjacent regions of the alignment layers are different. Applicants respectfully submit that Ushiyama, in contrast to the above-noted claimed feature, recites all regions of alignment layers having a same orientation. As specifically noted in Ushiyama at column 5, lines 57-66, regions sandwiched

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by the glass plates are not split, and orientation is in a single direction. <u>Ushiyama</u> specifically states that the "*orientation* may be obtained by rubbing the interior surface of plate 17 and plate 18 in a *single direction* and position the plates with the direction of rubbing at about 90°".[1] Thus, <u>Ushiyama</u> discloses orientation in a same *single direction*.

Also, submitted with the present response as an Appendix is a comparison between features of the claimed invention and the teachings in <u>Ushiyama</u> in two conditions in which an applied voltage V=0 and in which an applied voltage V≠0. As shown in the attached Appendix, in a feature of the claimed invention the orientation in adjacent regions of the alignment layers is different, whereas in <u>Ushiyama</u> the orientation is in a same single direction.

In such ways, applicants respectfully submit that <u>Ushiyama</u> does not disclose or suggest the feature of "alignment layers ... including regions displaying a fixed image, with orientations of adjacent of said regions being different", as positively recited in independent claim 32, and thereby as positively recited in dependent claims 33-39 that depend from independent claim 32.

In view of these foregoing comments, applicants respectfully submit that each of claims 32-39 patentably distinguishes over <u>Ushiyama</u>.

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[1] <u>Ushiyama</u> specifically at column 5, lines 63-65 (emphasis added).

As no other issues are pending in this application, it is respectfully submitted that the

present application is now in condition for allowance, and it is hereby respectfully requested
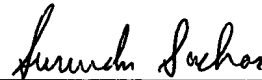
that this case be passed to issue.

Respectfully submitted,

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